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17. (Amended) The method of claim 13, wherein said processing step includes the step of transmitting from said phone system controller a second control signal over said wireless control channel and, further comprising the step of:

coupling said telephone to said telephone line in response to said second control signal being received by said phone system adapter box.

A marked-up version of the particular claims amended above is included as Attachment III.

#### **REMARKS**

The Office Action dated July 11, 2001 has been carefully reviewed. Claims 1-17 are pending in this patent application. Reconsideration of this patent application, as amended, and in view of the following remarks, is respectfully requested.

It is noted that the Office Action Summary (PTO-326) indicated that the specification was objected to by the Examiner since item number "9" under the heading "Application Papers" was marked. The Detailed Action (pages 2-8 of the Office Action) does not, however, mention or discuss any objection to the specification. Therefore, Applicant believes that item number "9" was checked in error and thus the present response does not address this issue.

Further, the Examiner has relied on a "Bendixen" patent as the basis for all of the rejections without identifying "Bendixen" by patent number, without

citing "Bendixen" on the Notice of References Cited (PTO-892) accompanying the Office Action, or supplying a copy of "Bendixen." Applicant has, however, performed a search and located U.S. Patent number 4,890,315 Bendixen et al. ("Bendixen '315 patent") to which Applicant believes the Examiner is referring. The present response is predicated on the located Bendixen '315 patent as the basis of the Examiner's rejections. If, however, the Bendixen '315 patent is not the "Bendixen" patent to which the Examiner is referring, Applicant respectfully requests that Applicant be supplied with a copy of the correct "Bendixen" patent and the Office Action be resent with a reset period of response.

#### **Applicant's Invention**

In summary, Applicant's invention is an interactive telephone system that utilizes a wireless channel to provide a telephony feature. The telephone system includes a phone system controller and a telephone system interface. The phone system controller is coupled to a telephone line. The telephone system interface is coupled between a telephone handset and the telephone line. The telephone system interface is operative to selectively couple the telephone handset to the telephone line, and also to establish a wireless control channel to the phone system controller. The wireless control channel is operative to carry the control signals associated with the telephony feature between the telephone system interface and the phone system controller

**I. 35 U.S.C. § 102(b) Rejection of Claims 7-8, and 12-17 (Bendixen et al.)**

Claims 7-8, and 12-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,890,315 issued to Bendixen et al. ("Bendixen"). Reconsideration of claims 7-8, and 12-17 is respectfully requested in view of present remarks and the following.

**Discussion re: Patentability of Claim 7**

***1. Claim 7***

Independent claim 7, as amended, recites:

A telephone system for providing a telephony feature, comprising a phone system controller and a first telephone system interface, wherein:

said first telephone system interface is coupled between a first telephone handset and a telephone line, said first telephone system interface operable to (i) selectively couple said first telephone handset to said telephone line, and (ii) establish a first wireless control channel to said phone system controller,

said wireless control channel operable to carry control signals associated with said telephony feature between said first telephone system and said phone system controller, and

said phone system controller is coupled to said telephone line and operable to (i) receive said first control signals via said wireless control channel, and (ii) process said first control signals to provide said telephony feature.

***2. Bendixen Does Not Teach the Limitations of Claim 7***

Bendixen does not teach the limitations of independent claim 7. Bendixen teaches a cellular remote station (system or control unit) for coupling a plurality of telephones to a *remote* (emphasis added) land line telephone system. The control unit interfaces with a radio transceiver that is in radio frequency communication with a corresponding radio transceiver remotely located and coupled to the remote land line telephone system.

In contrast to Bendixen, the limitations of claim 7 recite a wireless control channel that is operable to carry control signals between a first telephone system

interface and a phone system controller. The first telephone system interface is coupled to a telephone line and a telephone handset. The phone system controller is coupled to the telephone line. The first telephone system interface and the phone system controller are thus both coupled to the telephone line.

The Examiner has indicated that the “network” of Bendixen reads on the phone system controller recited in claim 7, while the telephone line of claim 7 is shown in Bendixen as “J3.” While Applicant respectfully disagrees that the “network” of Bendixen is a phone system controller and/or reads on the phone system controller as presently claimed, the Bendixen “network”, however, is by Bendixen’s specification admittedly *remote* from Bendixen’s control unit. The “network” is accessible only via radio frequency communication. The limitations of claim 7 require that the phone system controller be coupled to the same telephone line as the telephone system interface.

The Bendixen control unit couples one or more telephone handsets with a cellular telephone system. A cellular telephone system is not a phone system controller as presently claimed or as described in the specification. “For a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be identically shown in a single reference” In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Bendixen cannot anticipate claim 7 since every element of claim 7 is not identically shown in Bendixen.

### 3. Conclusion

Since Bendixen does not teach the limitations of independent claim 7, a prima facie case of anticipation under 35 U.S.C. § 102 has not been established with regard to the invention of claim 7. Accordingly, allowance of Applicant's claim 7 is hereby respectfully requested.

#### Discussion re: Patentability of Claims 8 and 12

Each of claims 8 and 12 includes independent claim 7 as a base claim. As a result, each of claims 8 and 12 is allowable for the reasons hereinbefore discussed with regard to claim 7. As a result, each of claims 8 and 12 is further allowable over the cited art.

#### Discussion re: Patentability of Claim 13

##### 1. Claim 13

Independent claim 13, as amended, recites:

A method of connecting a telephone to a phone system controller coupled to a telephone line that provides a telephony feature, comprising the steps of:  
establishing a wireless control channel between said phone system controller and a phone system adaptor box coupled to said telephone line and said telephone;  
transmitting control signals associated with a telephony feature from said phone system controller to said phone system adaptor box via said wireless control channel; and  
processing said control signals at said phone system adaptor box in order to provide said telephony feature.

##### 2. Bendixen Does Not Teach the Limitations of Claim 13

Bendixen does not teach the limitations of independent claim 13. While independent claim 13 is a method claim, the same arguments with respect to the

patentability of claim 7 are applicable to the patentability of claim 13.

Specifically, Bendixen does not teach a method of connecting a telephone to a phone system controller coupled to a telephone line that establishes a wireless control channel between the phone system controller and a phone system adapter box that is coupled to the *same* telephone line. Bendixen, in contrast to the limitations of claim 13, sends wireless signals from a control unit that is coupled to a telephone handset to a remote network that is coupled to a *remote land line telephone system*.

“For a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be identically shown in a single reference” In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Bendixen cannot anticipate claim 13 since every element of claim 13 is not identically taught in Bendixen.

### 3. Conclusion

Since Bendixen does not teach the limitations of independent claim 13, a prima facie case of anticipation under 35 U.S.C. § 102 has not been established with regard to the invention of claim 13. Accordingly, allowance of Applicant's claim 13 is hereby respectfully requested.

### Discussion re: Patentability of Claims 14-17

Each of claims 14-17 includes independent claim 13 as a base claim. As a result, each of claims 14-17 is allowable for the reasons hereinbefore

discussed with regard to claim 13. As a result, each of claims 14-17 is further allowable over the cited art.

## **II. 35 U.S.C. § 103(a) Rejection of Claims 1-6 (Bendixen et al.)**

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,890,315 issued to Bendixen et al. ("Bendixen").

Reconsideration of claims 1-6 is respectfully requested in view of the following.

### **Discussion re: Patentability of Claim 1**

#### ***1. Claim 1***

Independent claim 1, as amended, recites:

A phone system adaptor box for use with a phone system controller coupled to a telephone line that is operable to provide a telephony feature, said phone system adaptor box, comprising:

- a switch circuit operable to selectively couple a telephone to said telephone line;
- a wireless communication interface operable to establish a wireless control channel between said wireless communication interface and said phone system controller, said wireless control channel operable to carry control signals associated with said telephony feature between said wireless communication interface and said phone system controller; and
- a housing operable to house said switch circuit and said wireless communication interface.

#### ***2. Bendixen Does Not Render Claim 1 Obvious***

The arguments with regard to the patentability of claims 7 and 13 are applicable to the patentability of claim 1. Particularly, Bendixen does not teach or suggest a phone system adaptor box having a wireless communication interface operable to establish a wireless control channel between the wireless communication interface and the phone system controller, the phone system controller being on the *same* telephone line. Further, Bendixen does not teach

or suggest that the wireless control channel is operable to carry control signals associated with the telephony feature between the wireless communication interface and the phone system controller. Bendixen teaches a wireless communication channel between a control unit and a *remote* network and/or land line telephone system. Moreover, Bendixen is providing a solution to interfacing one or multiple telephone handsets via a single source to a cellular telephone system or network. As such, Bendixen offers no suggestion to provide wireless communication between one or multiple telephone handsets within a particular, single line telephone system as does the present invention.

### *3. Conclusion*

In view of the above, a prima facie case of obviousness under 35 U.S.C. § 103 has not been established with regard to the invention of independent claim 1. Accordingly, allowance of Applicant's claim 1 is hereby respectfully requested.

### Discussion re: Patentability of Claims 2-6

#### *1. Discussion*

The discussion regarding the patentability of independent claim 1 is relevant to the patentability of claims 2-6, since claims 2-6 depend from independent claim 1. As a result, claims 2-6 are allowable for the reasons hereinbefore discussed in regard to claim 1.



**III. 35 U.S.C. § 103(a) Rejection of Claim 9 (Bendixen et al. in view of Armstrong et al.)**

**Discussion re: Patentability of Claim 9**

*1. Discussion*

Claim 9 is dependent on independent claim 7. Therefore, the arguments regarding the patentability of claim 7 are applicable to the patentability of claim 9. As well, the arguments regarding the patentability of claim 1 are applicable to the patentability of claim 9. Moreover, Armstrong adds no additional teaching or suggestion that would render claim 9 obvious. While Armstrong provides a system for directory assistance call completion via a mobile system (that is naturally wireless), nothing in Armstrong alone or in combination with Bendixen provides or makes obvious the present system as recited in claim 9.

*2. Conclusion*

In view of the above, a prima facie case of obviousness under 35 U.S.C. § 103 has not been established with regard to the invention of independent claim 9. Accordingly, allowance of Applicant's claim 9 is hereby respectfully requested.

**IV. 35 U.S.C. § 103(a) Rejection of Claim 10 (Bendixen et al.)**

**Discussion re: Patentability of Claim 10**

*1. Discussion*

Claim 10 is dependent upon independent claim 7. Therefore, the arguments regarding the patentability of claim 7 are applicable to the

patentability of claim 10. Adding a second telephone system interface for a second telephone handset is not obvious for the same reasons that a first telephone system for a first telephone handset is not obvious in view of Bendixen.

## *2. Conclusion*

In view of the above, a prima facie case of obviousness under 35 U.S.C. § 103 has not been established with regard to the invention of independent claim 10. Accordingly, allowance of Applicant's claim 10 is hereby respectfully requested.


## **V. Objection of Claim 11**

Claim 11 has been objected to as being dependent upon a rejected base claim (independent claim 7), but was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 11 is dependent upon independent claim 7. Claim 7 has been shown above to be patentable over Bendixen. Therefore, Applicant respectfully submits that claim 11 is patentable in its current form. Thus, Applicant submits that claim 11 is allowable and respectfully requests an early allowance thereof.

## CONCLUSION

In view of the foregoing remarks, it is submitted that this application is in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all rejections and objections, and an early allowance of all claims.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce J. Bowman", written over a horizontal line.

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October 5, 2001

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## **Attachment I**

### **Version With Markings to Show Changes Made to Abstract**

A telephone system for providing a telephony feature includes a phone system controller and a first telephone system interface. The first telephone system interface is coupled between a first telephone handset and a telephone line. Moreover, the first telephone system interface is operable to selectively couple the first telephone handset to the telephone line. The first telephone system interface is also operable to establish a first wireless control channel to the phone system controller. The wireless control channel is operable to carry control signals associated with the telephony feature between the first telephone system interface and the phone system controller. The phone system controller is operable to (i) receive the first control signals via the wireless control channel, and (ii) process the first control signals to provide the telephony feature to the telephone handset.

## **Attachment II**

### **Version With Markings to Show Changes Made to Specification**

Figure 3A (including 3[A]B and 3[B]C) shows an embodiment of the PC interactive phone (PCIP) system of figure 1 in greater detail, in accordance with the present invention;

Figure 5 shows a PC system that can be used to control the operation of the PCIP system of figure 1, in accordance with the present invention; [and]

Figure 7 (consisting of figures 7A and 7B) shows a [representative] representation of the PCIP adapters shown in figure 3B, in greater detail; [and]

**Attachment III**

**Version With Markings to Show Changes Made to Claims**

1. (Amended) A phone system adapter box for use with a phone system controller coupled to a telephone line that is operable to provide a telephony feature, said phone system adapter box, comprising:

a switch circuit operable to selectively couple a telephone to [a] said telephone line;

a wireless communication interface operable to establish a wireless control channel between said wireless communication interface and said phone system controller, said wireless control channel operable to carry control signals associated with said telephony feature between said wireless communication interface and said phone system controller; and

a housing operable to house said switch circuit and said wireless communication interface.

7. (Amended) A telephone system for providing a telephony feature, comprising a phone system controller and a first telephone system interface, wherein:

said first telephone system interface is coupled between a first telephone handset and a telephone line, said first telephone system interface operable to (i) selectively couple said first telephone handset to said telephone line, and (ii) establish a first wireless control channel to said phone system controller,

said wireless control channel operable to carry control signals associated with said telephony feature between said first telephone system interface and said phone system controller, and

said phone system controller is coupled to said telephone line and operable to (i) receive said first control signals via said wireless control channel, and (ii) process said first control signals to provide said telephony feature.

9. (Amended) The telephone system of claim 8, wherein:

said phone system controller is [coupled to said telephone line and is] further operable to (i) process said voice signals received via said first wireless communication channel to obtain a telephone number, and (ii) dial said telephone number by applying signals to said telephone line.

13. (Amended) A method of connecting a telephone to a phone system controller coupled to a telephone line that provides a telephony feature, comprising the steps of:

establishing a wireless control channel between said phone system controller and a phone system adapter box coupled to said telephone line and said telephone;

transmitting control signals associated with a telephony feature from said phone system [adapter box] controller to said phone system [controller] adaptor box via said wireless control channel; and

processing said control signals at said phone system [controller] adaptor box in order to provide said telephony feature.



14. (Amended) The method of claim 13, wherein said processing step comprises the step of:

providing said telephony feature by said phone system controller applying signals to [a] said telephone line to which said phone system adapter box is coupled.

17. (Amended) The method of claim 13, wherein said processing step includes the step of transmitting from said phone system controller a second control signal over said wireless control channel, and further comprising the step of:

coupling said telephone to [a] said telephone line in response to said second control signal being received by said phone system adapter box.